

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
December 8, 2011

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**STUDY/WORK SESSION**

**Present:** *Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, and Michael Wagstaff, and Jim Young, Alternate Commission Members Brett Anderson and Kris Kaufman, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey*

**Chairman Hillier** began the work session at 6:30 p.m., and the Commission reviewed the City's proposal to amend the City's Zoning Ordinance by establishing additional criteria for retail tobacco stores; i.e. smoke shops.

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**REGULAR SESSION**

**Present:** *Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, and Michael Wagstaff, and Jim Young, Alternate Commission Members Brett Anderson and Kris Kaufman, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey*

**Chairman Hillier** began the meeting at 7:05 p.m., and an opening prayer was offered by **Nelsen Michaelson**.

**Minutes**

**Motion:**

**Steven Anderson** made a motion to approve the minutes of the November 10, 2011 Planning Commission Meeting. The motion was seconded by **Rick Draper** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff**. Commissioner **Jim Young** abstained.

**City Council Report**

- The Council approved Spring Creek Phase 4, the Affordable Housing Plan update, the vacation of Red Barn Lane, and the 100 North Street vacation (Rocky Mountain Power substation), the purchase of a generator for City Hall, and a lot line adjustment;
- The Council reviewed a request from residents in the Farmington Creek Estates Phase III asking the City to assist with a pocket park on ¾ acre of open space off Country Lane. The original developer was supposed to include the park, but he lost the development, and it is in limbo. The Council is not interested in developing a park in that location because a large regional park is planned a short distance away.
- The City lost approximately 80 trees on City property and thousand's City wide in the wind storm, and there was minimal damage to buildings, signs, and streetlights. The main crisis was a water tank pump that was malfunctioning. The Public Works Department was commended for their efforts, and the cleanup effort on Sunday was very well organized.
- Planning Commission appointments will be made during the Dec. 20<sup>th</sup> City Council meeting.

**ZONE TEXT CHANGES**

**Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend the City's Zoning Ordinance by establishing additional criteria for retail tobacco stores; i.e. smoke shops. (ZT-3-11)**

**Christy Alexander** explained that the City Council is concerned with the number of tobacco retail establishments within the City and would like to consider banning or restricting tobacco sales near schools and other locations frequented by children. There is no reference to this type of business in the City's zoning ordinance, and staff would like to amend the ordinance by adding definitions of "Smoke Shops" and "Sensitive Uses" to the *Definitions* listed in Chapter 2. The proposed definitions and other detailed information were included in the staff report, and staff asked for feedback from the Commission.

### ***Public Hearing***

**Chairman Hillier** opened the public hearing at 7:20 p.m. There were no public comments.

The Commission discussed possible issues which may arise with these types of stores and asked that staff obtain specific statistics from the City's Police Chief and other cities regarding the sale of spice and/or other illegal substances, increased exposure to children, payday loan establishments, sexually-oriented businesses—including Reiki massage, targeted break-ins, and sales to minors. The City must have specific reasons for regulating these businesses rather than just not wanting them to operate in certain locations.

### **Motion:**

**Nelsen Michaelson** made a motion to table the proposed amendments to the Zoning Ordinance as set forth in the staff report until further review and clarification can be made. **Michael Wagstaff** seconded the motion which was approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff, and Young.**

### **OTHER BUSINESS**

#### **Well House Elevations**

### **Motion:**

**Michael Nilson** made a motion to accept and approve the updated elevations for the well house. The motion was seconded by **Rick Draper** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff, and Young.**

#### **Robert's Rules of Order and PC Policies & Procedures**

The Robert's Rules of Order were included in the staff report, and the Planning Commission decided to use the Rules when conducting its meetings. They will continue to adhere to the agenda as it is outlined in the Policies & Procedures. The amendments to the Policies & Procedures will be finalized and approved at a future meeting.

### **Motion:**

**Michael Wagstaff** made a motion to adopt the Robert's Rules of Order into the PC Policies & Procedures document. The motion was seconded by **Steven Andersen** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff, and Young.**

#### **Chairman & Co-Chairman Elections**

**David Petersen** asked the Commission to elect a new Chairman and Vice Chairman, and he informed the two alternates, **Brett Anderson** and **Kris Kaufman**, that they would likely be appointed as Commission Members during the City Council meeting on December 20<sup>th</sup> and asked them to vote.

### **Motion:**

**Jim Young** nominated **Michael Nilson** as Chairman of the Planning Commission. **Michael Wagstaff** seconded the motion which was approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, Wagstaff, and Young,** and Alternate Commission Members **Anderson and Kaufman.**

**Motion:**

**Jim Young** nominated **Michael Wagstaff** as Vice Chairman of the Planning Commission. **Rick Draper** seconded the motion which was approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, Wagstaff**, and **Young**, and Alternate Commission Members **Anderson** and **Kaufman**.

**Motion:**

**Jim Young** nominated **Kris Kaufman** as the representative for the Board of Adjustments. The motion was seconded by **Michael Wagstaff** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, Wagstaff**, and **Young**, and Alternate Commission Members **Anderson** and **Kaufman**.

**Approval of 2012 Calendar**

**Motion:**

**Michael Wagstaff** made a motion to approve the calendar prepared by staff with one amendment—the November 8, 2012 meeting will be changed to November 15, 2012. The motion was seconded by **Michael Nilson** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, Wagstaff**, and **Young**.

**Other**

**David Petersen** explained that staff made an error and posted the Spring Creek Estates Phase 6 for minor plat approval when it should have been for schematic plan approval. He asked if any Commissioners could attend a short meeting at 7:00 p.m. on Tuesday, Dec. 20<sup>th</sup> to review that document, and several members agreed to attend.

**Steven Andersen** said it has been a wonderful Planning Commission this year, and he congratulated **Jim Young** and **Nelsen Michaelson** for their elections to the City Council. **Randy Hillier** is grateful for the experiences he has had while serving on the Commission the past five years. **Jim Young** said it has been an honor to serve on the Commission and offered some parting advice for current and future members of the Planning Commission:

1. Maintain your independence and do not allow yourselves to be reduced to a rubber stamp body;
2. Do not marginalize the Planning Commission's work and force decisions that you may not fully understand;
3. The Commission has traditionally been the City's most deliberate body—do not let that be sacrificed on the altar of political expediency;
4. Staff has sometimes been placed in an awkward position because they report to several masters, and it is difficult to meet the expectations of the Mayor, the Council and the Commission; however, the Commission relies on staff for all of the facts and information regarding each issue;
5. Staff must continue to provide multiple options for each motion and help the Commission understand all of the reasonable alternatives prior to making decisions;
6. The City Council depends on the Commission and needs to feel confident that each item has been carefully and consistently reviewed so they are not embarrassed or blindsided by any issues;
7. Never feel forced to make decisions that are contrary to your best judgment.

**ADJOURNMENT**

**Motion:**

At 8:20 p.m. **Nelsen Michaelson** made a motion to adjourn the meeting. The motion was seconded by **Steven Andersen** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, Wagstaff**, and **Young**.

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**Randy Hillier, Chairman**  
**Farmington City Planning Commission**